

Notice of Allowability

Application No.

10/690,042

Examiner

Vicky A. Johnson

Applicant(s)

CAMPAGNOLO ET AL.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed September 26, 2006.
2. ☒ The allowed claim(s) is/are 1,2,6-11,13-16,21-30 and 33-37.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/820,360.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven B. Schott on November 22, 2006.

The application has been amended as follows: Cancel claims 31, 32, 38, and 39.

Allowable Subject Matter

2. Claims 1, 2, 6-11, 13-16, 21-30, 33, 35-37 are allowed.

3. The following is an examiner's statement of reasons for allowance: There is no teaching or suggestion in the prior art of the claimed combination including the step of preventing a shift when the sensor detects rearward movement of the chain; re claim 6, the control unit is configured for preventing, in response to the corresponding signal, a gear shift when the sensor detects no or rearward movement of the transmission chain, and allowing, in response to the corresponding signal, a gear shift when the sensor detects forward movement of the transmission chain; re claim 9, shifting the transmission element from the at least one gear to another gear if (1) the detected angular position of the at least one gear corresponds to one the facilitating portions, and (2) if the transmission chain is not moving rearwards; re claim 11, the control unit being configured for preventing shifting of the at least one gear wheel when the gear wheel is not (1) in an angular position corresponding to the at least one given angular position

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and (2) moving in a forward direction, and then allowing change of position of the transmission element when the at least one gear wheel is rotated to a next angular position corresponding to the at least one given angular position; re claim 21, means for determining if the movement is in a predetermined direction of forward bicycle travel, re claim 33, a control unit for activating the sensor according to a command request and preventing a gear shift during rearwards movement of the transmission chain; re claim 34, detecting an angular position of a gear by detecting a marker located coaxial to a crank axle of the bicycle, the detection step initiated in response to the processing signal, comparing the angular position of the at least one gear to the angular position of the facilitation portions of the gear, and shifting the transmission element from the gear to another gear if the detected angular position of the gear corresponds to one of the facilitation portions and if the transmission element is moving forward; re claim 35, the control unit being configured for preventing shifting the gear wheel (1) when the gear wheel is not in an angular position corresponding to the one given angular position, and (2) when the gear wheel is moving backwards, and then allowing change of position of the transmission element when the gear wheel is rotated to a next angular position corresponding to the at least one given angular position; re claims 36, preventing a shift when the sensor detects rearward movement of the transmission element.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vicky A. Johnson whose telephone number is (571) 272-7106. The examiner can normally be reached on Monday-Friday (7:00a-3:30p).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6217. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Vicky A. Johnson 11/25/04
Primary Examiner
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